

Panaji, 5th May, 2011 (Vaisakha 15, 1933)

SERIES II No. 5

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 4 dated 28-04-2011 namely: Extraordinary dated 02-05-2011 from pages 97 to 98 regarding Notification from Department of Public Health (Directorate of Health Services).

GOVERNMENT OF GOA

Department of Co-operation

Office of the Registrar of Co-operative Societies

Order

No. 48-8-2001/TS/RCS/III/3939

In exercise of the powers conferred on me under sub-section (1) of Section 83 of the Goa Co-operative Societies Act, 2001 and Goa Co-operative Societies Rules, 2003, I, P. K. Velip Kankar, Registrar of Co-operative Societies, Goa, pleased to appoint Adv. Arun Anant Naik, as Registrar's Nominee for deciding the disputes arising in any of the Co-operative Societies referred to him by the Registrar of Co-operative Societies, Panaji or Asstt. Registrar of Co-operative Societies, Central Zone, Panaji, Dairy Zone, Ponda, South Zone, Margao, North Zone, Mapusa, Election Cell, North Goa District, Panaji, Election Cell, South Goa District, Margao as the case may be for the period from 01-04-2011 to 31-03-2012.

P. K. Velip Kankar, Registrar of Co-op. Societies.

Panaji, 25th April, 2011.

Addendum

No. 42/4/2008/TS/RCS/3912

Read: This office Order No. 42/4/2008/TS/RCS dated 17-02-2011.

In the "Schedule" of the above referred Order under column "Powers", the words and figures

"and 126" shall be inserted after the figures "124".

By order and in the name of the Governor of Goa.

P. K. Velip Kankar, Registrar of Co-op. Societies & ex officio Joint Secretary.

Panaji, 21st April, 2011

Office of the Asstt. Registrar of Co-operative Societies

Notification

No. 5-1297-2011/ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001, "The Imperial Garden Co-operative Housing Society Limited, Mazilwado, Benaulim-Salcete-Goa," is registered under code symbol No. HSG-(b)-792/South Goa/2011.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 15th April, 2011.

Certificate of Registration

"The Imperial Garden Co-operative Housing Society Limited, Mazilwado, Benaulim-Salcete-Goa," has been registered on 15-4-2011 and it bears registration code symbol No. HSG-(b)-792/South Goa/2011 and it is classified as "Housing Society" under sub-classification No. 7-(b)-Co-partnership Housing Society in terms of Rule 8 of Goa Co-operative Societies Rules, 2003.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 15th April, 2011.

Notification

No. 5-1296-2011/ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001, "The Palmas Arcade Co-operative Housing Society Limited, Palmar Grand, Margao-Betul Road, Chinchinim, Salcete-Goa," is registered under code symbol No. HSG-(b)-791/South Goa/2011.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 12th April, 2011.

Certificate of Registration

"The Palmas Arcade Co-operative Housing Society Limited, Palmar Grand, Margao-Betul Road, Chinchinim, Salcete-Goa," has been registered on 12-4-2011 and it bears registration code symbol No. HSG-(b)-791/South Goa/2011 and it is classified as "Housing Society" under sub-classification No. 7-(b)-Co-partnership Housing Society in terms of Rule 8 of Goa Co-operative Societies Rules, 2003.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 12th April, 2011.

Department of Education, Art & Culture

Directorate of Education
(School Education)

Order

No. 14/13/98-EDN/Part-I/84

On the recommendation of the Goa Public Service Commission conveyed vide their letter No. COM/5/15(1)/2003/397 dated 25-03-2011, Government of Goa is pleased to appoint Shri Santosh Sagun Amonkar on temporary basis in the cadre of Dy. Director of Education in the Directorate of Education, Panaji in the pay scale of ₹ 15,600-39,100 with grade pay of ₹ 6,600/- plus other allowances admissible under the rules under the Government of Goa with effect from the date of his joining.

The above appointment is subject to the terms and conditions stipulated in the offer of appointment given to him under No. 14/13/98-EDN/Part-I/82 dated 20-04-2011.

Shri Amonkar is posted as Dy. Director of Education (Adult), in the Directorate of Education, Panaji.

The above candidate shall be on probation for a period of two years.

The pay of the candidate shall be fixed as per the Rules.

By order and in the name of the Governor of Goa.

Dr. Celsa Pinto ex officio Joint Secreay (School Education).

Panaji, 25th April, 2011.

Goa Board of Secondary and Higher Secondary
Education

Notification

No. GBSHSE/BRD-ELE/2011/1015

In pursuance of sub-section (2) of Section 12 of the Goa, Daman and Diu Secondary and Higher Secondary Education Board Act, 1975 (Act 13 of 1975) (hereinafter called the "said Act") read with Rule 29 of the Goa, Daman and Diu Secondary and Higher Secondary Education Board Members Election Procedure Rules, 1979, the names of persons who have been elected as members of the Goa Board of Secondary and Higher Secondary Education under sub-section (1) of Section 12 of the said Act, for the remaining period of the term 2009-2013 is hereby published as follows:

Category	Clause of Class B-Elected Members	Name of the Member
(1)	(2)	(3)
Class B Elected Members	(ii) Two members to represent the University of Goa	1) Smt. Sunita Umraskar, Assis- tant Professor, Department of Marathi, Goa University. 2) Shri S. J. Godse, Asstt. Professor, Dhempe College of Arts & Science, Panaji-Goa.

Shri Mervyn D'Sousa, Chairman, Goa Board of Secondary and Higher Secondary Education.

Alto-Betim, 28th April, 2011.

Goa Legislature Secretariat

Order

No. LA/B/Estt/2011/292

On the approval of the Governor of Goa in terms of Rule 4 (1) of the Goa Legislature Secretariat (Recruitment and Conditions of Service) Rules, 1988, Shri J. N. Braganza, Secretary, Legislature is relieved of his duties as Secretary of the Goa Legislature Secretariat w.e.f. 30th April, 2011 (a.n.) who was on extension in service beyond superannuation.

2. Shri J. N. Braganza stands relieved from the Goa Legislature Secretariat with effect from 30 April, 2011 (a.n.).

By order and in the name of the Governor of Goa.

Yuvraj Naik, Joint Secretary.

Porvorim, 29th April, 2011.

Order

No. LA/B/Estt/2011/295

In pursuance of Rule 4(1) of the Goa Legislature Secretariat (Recruitment and Conditions of Service) Rules, 1988, the Governor in consultation with "Special Board" is pleased to appoint Shri N. B. Subhedar, Joint Secretary of the Goa Legislature Secretariat to the post of Secretary, Legislature, Group "A" (Gazetted), in the pay scale of PB—4 ₹ 37,400-67,000+8,700 on ad hoc basis with effect from 2nd May, 2011 (f.n.).

2. The pay of Shri N. B. Subhedar shall be fixed as per the rules. He should exercise an option for fixation of pay under F.R. 22(I)(a)(1) within one month from the date of promotion.

3. The expenditure on pay and allowances shall be debited to the Budget Head "2011—Parliament/State/U.T. Legislature; 02—State/U.T. Legislature; 103—Legislative Secretariat; 01—Legislature Secretariat of State; 01—Salaries."

By order and in the name of the Governor of Goa.

Yuvraj Naik, Joint Secretary.

Porvorim, 2nd May, 2011.

Department of Home

Home—General Division

Order

No. 24/19/2011-HD(G)

The Government of Goa is pleased to order transfer of following Assistant Public Prosecutors, with immediate effect, as under:

Sr. No.	Name of Assistant Public Prosecutor	Present posting	New posting
1	2	3	4
1.	Shri Raymond Gonsalves	Office of APP, Margao	Office of APP, Ponda.
2.	Shri Satyawar R. Dessai	Office of APP, Quepem	Office of APP, Vasco.
3.	Ms. Anuradha S. Talauliker	Office of APP, Panaji	Office of APP, Mapusa.
4.	Ms. Nita G. Marathe	Office of APP, Panaji	Office of APP, Ponda.
5.	Ms. Clarita Simoes	Office of APP, Mapusa	Office of APP, Vasco.
6.	Ms. Sushma N. Naik Mandrekar	Office of APP, Panaji	Office of APP, Pernem.
7.	Shri Visitacao G. Costa	Office of APP, Ponda	Office of APP, Margao.
8.	Ms. Frances Noronha	Office of APP, Pernem	Office of APP, Panaji.
9.	Shri Roy D'Souza	Office of APP, Bicholim	Office of APP, Mapusa.
10.	Shri Ralston Barreto	Office of APP, Vasco	Office of APP, Mapusa.
11.	Ms. Archana Bhobe	Office of APP, Mapusa	Office of APP, Ponda.
12.	Ms. Anna R. Braganza e Mendonza	Office of APP, Mapusa	Office of APP, Bicholim.
13.	Shri Devanand Korgaonkar	Office of APP, Vasco	Office of APP, Margao.
14.	Shri Utkarsh B. Avde	Office of APP, Canacona	Office of APP, Margao.
15.	Ms. Tema S. Narvekar	Office of APP, Bicholim	Office of APP, Panaji.
16.	Shri Govind Gaonkar	Office of APP, Sanguem	Posted at Office of APP, Quepem and

1	2	3	4
			on working condition posted at Canacona.
17. Shri Sanjay Samant	Office of APP, Margao	Office of APP, Vasco.	
18. Ms. Shilpa Nagvenkar	Office of APP, Vasco	Office of APP, Quepem.	
19. Shri Dharshan D. Gawas	Office of APP, Margao	Office of APP, Mapusa.	
20. Shri Rodrigues Coleman Savio Infance	Office of APP, Ponda	Office of APP, Sanguem.	
21. Shri Shivram Patil (contract basis)	Office of APP, Margao	Office of Directorate of Prosecution, Panaji.	

They shall hand over the charge at their present place of posting with immediate effect (b.n.) and assume charge at the place to which they are transferred immediately on the subsequent day (b.n.).

By order and in the name of the Governor of Goa.

V. P. Dangui, Under Secretary (Home-II).

Porvorim, 27th April, 2011.

Order

No. 24/19/2011-HD(G)

The Government of Goa is pleased to order transfer of following Public Prosecutors, with immediate effect, as under:

Sr. No.	Name of Public Prosecutor	Present posting	New posting
1	2	3	4
1.	Shri Pramod Hede	Office of PP, Margao	Office of PP, Panaji.
2.	Shri Shiral Monteiro	Office of PP, Mapusa, NDPS Court	Office of PP, Margao
3.	Shri Bhanudas Gaonker	Office of PP, Margao	Office of PP, Panaji.
4.	Ms. T. S. Sardinha	Office of PP, Margao	Office of PP, Panaji.
5.	Shri Subhash Dessai	Office of PP, Panaji	Office of PP, Margao.

1	2	3	4
6.	Ms. Asha Arsekar (Ad hoc PP)	Office of PP, Margao	Office of PP, Panaji.
7.	Ms. Poonam Bharme (Ad hoc PP)	Office of PP, Children's Court, Panaji	Office of PP, NDPS, Mapusa.
8.	Ms. Milena Gomes (Ad hoc PP)	Office of PP, Mapusa	Office of PP, Children's Court, Panaji.
9.	Ms. Sunita Nagvenkar (Ad hoc PP)	Office of PP, Fast Track, Mapusa (working arrangement)	Office of PP, Margao.
10.	Ms. Krishna Sansgiri (Ad hoc PP)	Office of PP, Panaji (working arrangement)	Office of PP, Margao.
11.	Shri Ladislau Fernandes	Office of PP, Panaji (working arrangement)	Office of PP, Margao.
12.	Ms. Pratima Vernekar	Fast Track Court, Panaji (working arrangement)	Office of PP, Fast Track Court, Mapusa.

All the transferred PPs/Ad hoc PPs from Office of Public Prosecutors, North District, will take charge of their new posting with immediate effect, in the Office of Public Prosecutors, South District, (b.n.), as per the working arrangement and PPs/Ad hoc PPs from Office of Public Prosecutor, South District, will join their respective transferred posting immediately on the subsequent day (b.n.), as per the working arrangement, once the PPs/Ad hoc PPs from North District take the charge of the new posting.

By order and in the name of the Governor of Goa.

V. P. Dangui, Under Secretary (Home-II).

Porvorim, 27th April, 2011.

Department of Labour

Notification

No. 28/1/2011-LAB

The following award passed by the Lok Adalat, at Panaji-Goa on 22-03-2011 in reference

No. IT/19/06 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Vasanti H. Parvatkar, Under Secretary (Labour).
Porvorim, 19th April, 2011.

IN THE INDUSTRIAL TRIBUNAL-CUM-
-LABOUR COURT-I
AT PANAJI

(Before Smt. Anuja Prabhudessai, Hon.
Presiding Officer)

Ref. No. IT/19/06

Shri Jaiprakash G. Tari,
Rep. by Kadamba Kamgar Union,
T-1, Sindur Bldg.,
Opp. Passport Office,
Panaji, Goa.

... Workman/Party I

V/s

M/s. Kadamba Transport
Corporation Ltd.,
East Wing Bus Terminus,
Panaji, Goa.

... Employer/Party II

Party I/Workman represented by any Adv. A.
Kundaikar.

Party II /Employer is represented by Adv. A. Palekar.

AWARD

(Passed on this 22nd day of March, 2011)

By order dated 18-4-2006 the Government of Goa in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute for adjudication.

“(1) Whether the action of M/s. Kadamba Transport Corporation Limited, in withholding one annual increment for the year 1998, of Shri Jaiprakash G. Tari, Conductor, is legal and justified?

(2) If not, to what relief the Workman is entitled?”

2. On receipt of the reference, IT/26/07 was registered. Notices were issued to both parties, pursuant to which the Party I has filed his claim statement at Exb. 3 and Party II has filed its written statement at Exb. 6.

3. The Party I was working as a conductor for the Party II. On 7-03-1994, he was on duty on bus No. GDX 180, plying on Margao-Karwar route. The line checking staff intercepted the said bus at Partagal at 7.35 a.m. The line checking staff issued a default notice for having Rs. 12.75 in excess of sale of tickets. The Party I filed his reply to the default notice on 12-03-1994 and claimed that the said amount was to be refunded to the passengers and that the said amount was to be refunded to the passengers and that the same was not refunded for want of change.

4. On 13-03-1994, the Party I was on duty on bus No. GDX 93 plying on Panaji-Cortalim-Panaji route. The line checking staff checked the said bus at Chicalim at 22.05 hours. The Party I was issued default notice for allowing three passengers to travel without tickets. It was stated that the Party I had collected Rs. 2/- from one passenger traveling from Cortalim to Vasco and that he had neither collected fares nor issued tickets to the other two passengers one of whom was travelling from Panajim to Vasco and the other from Cortalim to Vasco. It was also alleged that the Party I was found passing Rs. 40/- to one passenger. It was further stated that there was a shortage of Rs. 1.25/- vis-à-vis the sale of tickets. It was alleged that the Party I had refused to sign statement of the passengers and had refused to issue unpunched tickets to them. The Party I had filed reply to said default notice.

5. Not being satisfied with the replies given, the Party I was served with charge-sheet dated 5-04-1994 for committing misconduct under clause 28 (VI, XV, XXXV, LXI) of the Certified Standing Orders of the Corporation. The Party I filed reply to the charge-sheet on 15-4-1994. Not being satisfied with the reply given, the Party II initiated departmental inquiry. Initially, Shri V. V. S. Kunkolienkar was appointed as an Inquiry Officer. He conducted inquiry till 11-07-1997. By order dated 29-09-1997, Shri C. Prabhu was appointed as an Inquiry Officer. He conducted further inquiry and submitted his report on 2-02-1998. The Inquiry Officer has held that the Management has proved that on 7-03-1994, the Party I had an excess amount of Rs. 12.75 which was generated by non-issue of tickets to the passengers. The Inquiry Officer further held that the Management has proved that on 13-03-1994, the Party I had allowed three passengers to travel without tickets. There was shortage of cash of Rs. 1.25 and that the Party I had refused to sign the statement and issue unpunched tickets. The Inquiry Officer held that the Party II has not proved

that at the time of checking the Party I had passed Rs. 40/- to one of the passengers. The Party I was called upon to show cause on the proposed penalty. The Party I had replied to the said show cause notice vide reply dated 22-04-1998. By order dated 26-7-2002, the Party II imposed penalty of withholding one annual increment for the year 1998.

6. The Party I has challenged the fairness of the inquiry on the grounds that the charge-sheet issued to him was vague and that inquiry conducted against him is improper and in violation of the principles of Natural Justice. The Party I has stated that the Inquiry Officer had rejected his request to record the proceedings in Konkani. The Party I has represented by Shri Nadkarni. The Party I had claimed that he was not given reasonable opportunity to refute the charges and defend himself. The Party I has further stated that the inquiry is vitiated as the penalty is imposed by Shri V. V. S. Kunkolienkar, who was initially appointed as an Inquiry Officer.

7. The Party I has stated that the findings of the Inquiry Officer are not based on records and the same are perverse. The Party I has stated that Shri Premanand Naik, the Line Checking Staff, was not on duty on the date the default notice was issued. The Party I has also claimed that the T.C. who was one of the Line Checking Staff, had no powers to intercept the bus or to examine and impound the documents. The Party I has stated that the order is illegal, void and unjustified. The Party I has further stated that the penalty imposed is disproportionate to the charges levelled against him. The Party I has also stated that the said penalty order was issued only to victimize him and the action of the Party II amounts to unfair labour practices. The Party I has therefore prayed to direct the Party II to release two increments, which were withheld.

8. The Party II has denied that the inquiry was conducted in violation of the principles of natural justice. The Party II has stated that the Party I was given reasonable opportunities to defend his case. The Party II has also stated that the inquiry was completed and that the report was made by the Inquiry Officer, Shri V. V. S. Kunkolienkar. The Party II has denied that the inquiry is vitiated or that the order dated 26-07-2002 is illegal or bad on the ground that the same was passed by Shri V. V. S. Kunkolienkar. The Party II has denied that it has indulged in unfair labour practices. The Party II has stated that the findings of the Inquiry Officer are based on evidence on record and the charges levelled against Party I are sufficiently proved. The

Party II has stated that the past conduct of the Party I is not satisfactory. The Party II has stated that in the past, the Party I was involved in various misconducts for which he was issued default notice, warned and fined. Details of his past misconducts are given in para 3 of the written statement. The Party II has justified the penalty imposed against the Party I and has claimed that the Party I is not entitled for any reliefs.

9. Based on the aforesaid pleadings, the following issues were framed.

1. Does the Party I prove that the departmental inquiry held against him is not fair and proper?
2. Whether the Party II proves that the charges of misconduct levelled against the Party I are proved to the satisfaction of the Tribunal by acceptable evidence?
3. Whether the action of the Party I in withholding one annual increment of Party I for the year 1998 is legal and justified?
4. To what relief the Party II/Workman is entitled?
5. What Award?

10. Issues No. 1 and 2 were treated as preliminary issues. Both parties had adduced evidence and advanced arguments on these two preliminary issues. Findings on these preliminary issues were given vide order dated 24-7-2009, wherein departmental enquiry against the Party I was held to be fair and proper and the charges levelled against him have been held to be proved to the satisfaction of the Tribunal.

11. Both parties have adduced evidence on issues No. 3 and 4. Learned Adv. Shri Kundaikar has argued that the penalty imposed on the Party I is disproportionate to the charges levelled. He has further argued that the penalty imposed on the Party I will have adverse effect on his monitory/pensionary benefits. Learned Adv. Shri Palyekar has argued that the Party I has committed gross misconduct. The penalty imposed is not disproportionate and does not warrant interference. I have perused records and considered the arguments advanced by the respective advocates.

12. It is not in dispute that Section 11(A) empowers the tribunal to substitute or mould punishment imposed on the employee. It is however, well settled that powers conferred u/s 11 (A) have to be exercised judiciously. The Tribunal can interfere with the decision of the management

only when it is satisfied that the punishment imposed by the management is highly or shockingly disproportionate to the degree of guilt established or alleged against delinquent Workman. In the case of V. Ramanna v/s A.P.S.R.T.C. reported in 2005 DGLS 399, the Apex Court after considering several decisions on the issues has summed up the scope of interference of the adjudicating authority, in paras 11 and 12 of the judgment as under:

"The common thread running through in all these decisions is that the Court should not interfere with the administrator's decision unless it was illogical or suffers from procedural impropriety or was shocking to the conscience of the Court, in the sense that it was in defiance of logic or moral standards. In view of what has been stated in the Wednesbury's case (supra) the Court would not go into the correctness of the choice made by the administrator open to him and the Court should not substitute its decision to that of the administrator. The scope of judicial review is limited to the deficiency in decision making process and not the decision.

To put differently unless the punishment imposed by the Disciplinary Authority or the Appellate Authority shocks the conscience of the Court/Tribunal, there is no scope for interference. Further to shorten litigations it may, in exceptional and rare cases, impose appropriate punishment by recording cogent reasons in support thereof. In a normal course if the punishment imposed is shockingly disproportionate it would be appropriate to direct the Disciplinary Authority or the Appellate Authority to reconsider the penalty imposed.

13. In the instant case, the charge against Party I was that on 7-3-1994 while he was on duty as conductor on bus GDX No. 180, he had with him Rs. 12.75 in excess of sale of tickets which was generated by non-issue of tickets and that on 13-3-1994, while he was on duty as conductor on bus No. GDX 93 amount of Rs. 1.25 was found to be short vis-à-vis sale of tickets. These acts which constitute misconduct under clause 28 (VI) (XV) (XXXV) and (LXI) of CSO, have been held to be proved.

It may be mentioned that in the case of V. Ramanna (Supra) Apex Court has held that *"It is the responsibility of the conductors to collect correct fare charges from the passengers and deposit the same with the Corporation. They act in fiduciary capacity and it would be a case of gross misconduct if they do not collect any fare or the*

correct amount of fare. A conductor holds a post of trust. A person guilty of breach of trust should be imposed punishment of removal from services.

14. In the case of *Regional Manager U.P.S.R.T.C. Itawah and others v/s Hotilal* and another reported in 2003 (3) SCC 605 the Apex Court has held that *"It is the responsibility of the bus conductors to collect the correct fare from the passengers and deposit the same with the Corporation. They act in fiduciary capacity and it would be a case of gross misconduct if knowingly they do not collect any fare or correct amount of fare."* It is not only the amount involved but the mental set-up, the type of duty performed and similar relevant circumstances which go into the decision making process while considering whether the punishment is proportionate or disproportionate.

If the charged employee holds a position of trust where honesty and integrity are inbuilt requirements of functioning, it would not be proper to deal with the matter leniently. Misconduct in such cases has to be dealt with iron hands. Where the person deals with public money or is engaged in financial transactions or acts in a fiduciary capacity, the highest degree of integrity and trustworthiness is a must and unexceptionable".

In the instant case, the Party I has filed his affidavit in evidence wherein he has stated that the punishment imposed on him is disproportionate to the misconduct alleged and proved. The Party I has not spelt out on what bases the punishment of withholding one increment can be said to be excessive, keeping in view seriousness of the charge.

15. As stated earlier, the Party I was appointed as a conductor and in that capacity he was entrusted with vital function relating to the issuance of tickets and collection of fares. The Party I was working in fiduciary capacity and not collecting the fare or the correct amount of fare, irrespective of the quantum of such fare, is a gross misconduct. The evidence of Vidyadhar Harmalkar, the Personal Officer of Party II Corporation also proves that this is not an isolated lapse on the part of the Party I. Shri V. Harmalkar has placed on record the past records such as copies of charge-sheets, memos and warning letters and orders of penalty imposed on Party I. The Party I has also stated in his cross-examination that he had joined the service with Party II Corporation in the year 1983 and from 1984 till the date of the enquiry he has received about twenty default notices for short-

age/excess amount. He has admitted that on all earlier occasions he was issued charge-sheets show cause notices and was warned/fined. Thus the evidence of Shri Harmalker vis-à-vis the past records at Exb. 27 to 47 and the admission of the Party I amply proves that the Party I was prone to such lapses and had been fined and warned not to repeat such acts. The Party I has not shown any improvement even though he was given sufficient opportunities for improvement. Despite this the only penalty imposed on Party I was that of withholding of two increments which on appeal has been reduced to withholding to one increment. The penalty imposed on Party I under no circumstances can be considered as illegal or unjustified. Infact, it can be said that the penalty imposed is "shockingly disproportionate" i.e. mild considering the past records and the gravity of the misconduct. Hence, issue No. 3 is answered in the affirmative.

In the circumstances, in my view there are absolutely no reasons to interfere with the penalty in favour of the Party I and the Party I is not entitled to any reliefs. Issue No. 4 is answered accordingly.

Hence, I pass the following order.

ORDER

The action of M/s. Kadamba Transport Corporation Ltd., in withholding one annual increment for the year 1998, of Shri Jaiprakash Tari, conductor is held to be legal and justified. The Party I/Workman is not entitled for any relief.

Inform the Government accordingly.

Sd/-
(A. Prabhudessai),
Presiding Officer,
Industrial Tribunal-
cum-Labour Court-I.

Notification

No. 28/1/2011-LAB

The following award passed by the Industrial Tribunal-cum-Labour Court-I, at Panaji-Goa on 01-04-2011 in reference No. IT/32/00 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Vasanti H. Parvatkar, Under Secretary (Labour).

Porvorim, 19th April, 2011.

IN THE INDUSTRIAL TRIBUNAL-CUM- -LABOUR COURT-I AT PANAJI

(Before Smt. Anuja Prabhudessai, Hon.
Presiding Officer)

Ref. No. IT/32/00

Smt. Krupa Hallikar,
Bastora, Bardez-Goa. ... Workman/Party I
V/s

The Chief Officer,
Mapusa Municipal Council,
Mapusa-Goa. ... Employer/Party II

Party I/Workman represented by any Adv. P. J. Kamat.

Party II/Employer is represented by Adv. P. S. Rao.

AWARD

(Passed on this 1st day of April, 2011)

By order dated 24-3-2000 the Government of Goa in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute for adjudication.

"(1) Whether the action of Mapusa Municipal in terminating the services of Smt. Krupa Hallikar, sweeper with effect from 21-8-1997 is legal and justified?

(2) If not, to what relief the Workman is entitled?"

2. On receipt of the reference IT/32/2000 was registered. Notices were issued to both parties. Party I has filed her claim statement at Exb. 5 and Party II has filed its written statement at Exb. 7. The rejoinder of the Party I is at Exb. 8.

3. The Party I claims that she was employed by the Party II as a sweeper and posted to work in the garden since 20-05-1985. The Party I claims that she had worked diligently despite which she was served with a suspension order dated 8-03-1996. The Party I challenged the validity of the order after which the Party II revoked the said suspension order. The Party I claims that the Party II had not stated reasons either for suspending her or for revoking the suspension order. The Party II served upon the Party I memo dated 18-12-1996 and called upon to give explanation in respect of certain allegations made against her in the memo. The Party I gave her written reply dated 8-01-1997, wherein she refuted the charges levelled against her. The Party II ordered departmental inquiry and based on the findings given by the Inquiry Officer, the Party II dismissed the services of the Party I.

4. The Party I has claimed that she was not furnished copies of the inquiry proceedings and the inquiry report. The Party I has alleged violation of principles of natural justice. The Party I has further stated that she has not committed any misconduct and that the action is bad and illegal and amounts to victimization. The Party I has further claimed that the penalty imposed on her is harsh and disproportionate to the charges levelled. The Party I has further stated that her termination is in violation of the provision of Sec. 33 of the Industrial Disputes Act. The Party I has therefore sought reinstatement with full backwages and continuity in service.

5. The Party II has claimed that there is no Industrial Dispute and that the reference is bad in law. The Party II has also claimed that the Party I is not a Workman within the meaning of Sec. 2 (5) of the Act. The Party II has stated that by order dated 24-02-1993, the Party I was appointed as worker-cum-sweeper/labourer purely on temporary basis for a period of two years on probation. The Party II has stated that the Party I was placed under suspension as it had contemplated taking disciplinary action against her for unauthorized absence and disobedience of instructions of her superiors. The said suspension order was revoked without prejudice to the action, which was contemplated against the Party I. Immediately after revocation of the suspension, the Party I insisted that she should be permitted to resume duties only at the garden. The Party II has stated that the Party I was liable to work at any place ordered by her superiors. On 3-02-1996, the Party I did not report for special cleanliness drive of ward No. 2 and insisted that she would not work at any place other than the garden. In view of this, the Party I was served with memo dated 6-02-1996 and she was required to give her explanation why disciplinary action should not be taken against her.

6. The Party II has further stated that the Party I had not attended duties from 1-02-1996 to 8-02-1996 on the ground of sickness. Not being satisfied with the certificate issued by the private doctor, the Party II directed her to appear before the board of doctors of G.M.C. The Party I did not comply with the said directions. The Party II has stated that the Party I applied for one-month leave since it had not conceded her request to post her only at the garden. The said application was rejected and the Party I was directed to resume duties immediately. The Party I did not report for duties and hence she was served with charge-sheet dated 16-12-1996. The Party II has stated that an

Inquiry Officer was appointed to inquire into the said charges. The Party I admitted charges under Articles I & III and denied the charge at Article II. Inquiry in respect of the said charge was conducted. Fair and reasonable opportunity was given to the Party I to defend herself. The Inquiry Officer submitted his report, wherein he has held the Party I guilty of the charges levelled. Based on the said findings the Party I was dismissed from service w.e.f. 21-08-1997. Representation made by the Party I were not considered and she was informed that the decision was final. The Party II has denied that the services of the Party I were terminated in violation of the provisions of Sec. 33 of the Industrial Disputes Act. The Party II has also denied that the dismissal order is illegal and unjust.

7. Based on the aforesaid pleadings, the following issues were framed.

1. Whether the Party I proves that, the domestic enquiry conducted against her is not fair and proper?
2. Whether the charges of misconduct levelled against the Party I are proved to the satisfaction of the Tribunal by acceptable evidence?
3. Whether the Party I proves that the action of the Party II in terminating her services w.e.f. 21-08-1997 is illegal and unjustified?
- 3(A). Whether the Workman/Party I proves that the Employer/Party II has terminated her services w.e.f. 21-08-1997 in violation of the provisions of Section 33 of the Industrial Disputes Act, 1947?
4. Whether the Party II proves that there is no industrial dispute and hence the reference is bad in law?
5. Whether the Party II proves that the Party I is not a Workman under the Industrial Disputes Act, 1947?
6. Whether the Party I is entitled to any relief?
7. What Award?

8. Issues No. 1 and 2 were treated as preliminary issues, parties had adduced evidence on these issues. On considering the evidence adduced and arguments advanced by the parties, findings on these preliminary issues were given vide order dated 31-7-2009. It has been held that the domestic enquiry conducted against the Party I was not fair and proper. Since the enquiry was set aside, opportunity was given to the Party II to prove the charges of misconduct levelled against the Party I.

9. By application dated 16-12-2009 (Exb. 35), the Party I submitted that the issue No. 3A goes to the root of the legality of the termination. Relying upon the judgment of the Bombay High Court in Writ Petition 317/2003, the Party II prayed to decide issue No. 3A as a preliminary issue. The said application was decided by order dated 22-10-2010 (Exb. 38), whereby my Learned predecessor allowed the application and treated issue No. 3A as a preliminary issue. Opportunity was given to the parties to adduce evidence on the said issue. The records indicate that the Learned Advocate for the Party I had stated that he had already adduced evidence on the said issue and did not wish to adduce any additional evidence on the said issue. Hence, the matter was fixed for the evidence of Party II. Since, the Party II had remained absent, the evidence of Party II on issue No. 3A was closed.

10. Learned Advocate Shri P. J. Kamat representative of Party I has filed written arguments at Exb. 39. The Party II has not filed any arguments. I have perused the records and considered the arguments advanced by Learned Adv. Shri P. J. Kamat and my findings on issue No. 3A are as under:

Issue No. 3A: The case of the Party I is that the Party II had terminated her services in violation of the provisions of Section 33 of Industrial Disputes Act. It is not in dispute the Party I was in service of Party II since 20-5-1985. The Party II was issued charge-sheet dated 16-12-1996 and her services were terminated with effect from 21-8-1997. The Party I has deposed that initially she was appointed on temporary basis and on daily wages. She has deposed that she had become a member of Goa Municipal Council Workers Union. The Union had raised a dispute for regularization of their services. The said dispute was referred to the Tribunal for adjudication. She has produced the order of reference dated 15-9-1989 at Exb. 21. The Party I had deposed that the said dispute was decided by the Tribunal by Award dated 11-12-1998. She has produced the copy of the Award at Exb. 22.

11. A perusal of order at Exb. 21 and Award at Exb. 22 clearly indicates that there was dispute between nine daily rated Workmen, including Party I herein and their Employer-Mapusa Municipal Council the Party II herein, as regards their status as daily rated employees or permanent employees. The said dispute was referred to the Tribunal for adjudication vide order dated 15-9-1989 at Exb. 21. On receipt of the reference IT/67/89 was registered. The said reference was adjudicated upon and by Award dated 11-2-1998 (Exb. 22)

the Tribunal held that the Party I herein was entitled to be declared as permanent Workman from 24-2-1995.

12. It is therefore, evident that an industrial dispute between the Party I and Party II was pending before the Tribunal from 15-9-1989 till 11-12-1998. The termination order dated 21-8-1997, which is the subject matter of the present reference was issued during the pendency of IT/67/89.

13. It may be mentioned that Sec. 33(2) of Industrial Disputes Act provides that *"During the pendency of any such proceeding in respect of all industrial dispute, the employer may in accordance with the standing orders applicable to a Workman concerned in such dispute [or, where there are no such standing orders, in accordance with the terms of the contract, whether express or implied between him and the Workman:*

- a) *Alter, in regard to any matter not connected with the dispute, the conditions of service applicable to that Workman immediately before the commencement of such proceeding; or*
- b) *For any misconduct not connected with the dispute, discharge or punish, whether by dismissal or otherwise, that Workman:*

Provide that no such Workman shall be discharged or dismissed, unless he has been paid wages for one month and an application has been made by the employer to the authority before which the proceeding is pending for approval of the action taken by the employer.

14. This section recognizes the right of the employer to discharge or dismiss a Workman for the alleged misconduct not connected with the dispute but exercise of these powers is subject to fulfilling two conditions of the proviso, viz. the employee concerned should be paid one month wage and secondly the concerned employer should make an application to the appropriate authority for approval of the action taken by him.

15. In the instant case, the Party I had specifically averred in the amended pleadings that the action of Party II in terminating her services without following the provisions of Section 33 of Industrial Disputes Act is illegal, bad and non-est. The Party II had not filed additional written statement despite opportunities given and consequently the pleadings at para 1A of the claim statement have not been denied. It is also to be noted that apart from denying the statement of the Party I that

she is member of Goa Municipal Worker Union, the Party II had not at all cross-examined the Party I on the evidence adduced by her on issue No. 3A. Consequently, the pleadings as well as the evidence adduced on issue No. 3A have gone unchallenged. The Party II has also not adduced any evidence to show that it had discharged the statutory obligation by complying with the conditions stipulated in provision to Section 33(2) (b) of the Act. This lends credence to the case of Party I that her termination is in violation of provisions of Section 33(2) (b) of Industrial Disputes Act. Hence issue No. 3A is answered in the affirmative.

16. Learned Adv. Shri P. J. Kamat has argued that the provisions under Section 33(2) (b) are mandatory and contravention of the said provision renders the action ineffective. Learned Adv. Shri P. J. Kamat has argued that since the Party II has contravened these mandatory provisions under Section 33(2) (b), the Party I/Workman is deemed to be not terminated and is entitled for full wages and other consequential benefits. In support of this contention he has relied upon the judgment of the Apex Court in the case of Jaipur Zila S.B.B. Ltd., v/s Shri Ram G. Sharma and others (20021 CLR 289).

17. In the case of Jaipur Zilla (Supra) the Apex Court has held as under:

The proviso to Section 33(2) (b) as can be seen from its very unambiguous and clear language, is mandatory. This apart from the object of Section 33(2)(b), it is obvious that the conditions contained in the said proviso are to be essentially complied with. Further any employer who contravenes the provisions of Section 33 invites a punishment under Section 31(1) with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 1,000/- or with both. This penal provision is again a pointer of the mandatory nature of the proviso to comply with the conditions stated therein. To put it in other way, the said conditions being mandatory are to be satisfied if an order of discharge or dismissal passed under Section 33(2)(b) is to be operative. If an employer desires to take benefit of the said provision for passing an order of discharge or dismissal of an employee, he has also to take the burden of discharging the statutory obligation placed on him in the said proviso. Taking a contrary view that an order of discharge or dismissal passed by an employer in contravention of the mandatory conditions contained in the proviso does not render such an order inoperative or void, defeats the very purpose of the proviso and it becomes

meaningless. It is well-settled rule of interpretation that no part of statute shall be construed as un-necessary or superfluous. The proviso cannot be diluted or disobeyed by an employer. He cannot disobey the mandatory provision and then say that the order of discharge or dismissal made in contravention of Section 33(2)(b) is not void or inoperative. He cannot be permitted to take advantage of his own wrong. The interpretation of statute must be such that it should advance the legislative intent and serve the purpose for which it is made rather than to frustrate it. The proviso to Section 33(2)(b) affords protection to a Workman to safeguard his interest and it is a shield against victimization and unfair labour practice by the employer during the pendency of industrial dispute when the relationship between them are already strained. An employer cannot be permitted to use the provision of Section 33(2)(b) to ease out a Workman without complying with requirement of the said proviso is not void or inoperative, the employer may with impunity discharge or dismiss a Workman.

18. Reverting to the facts of the present case, the evidence adduced by the Party I clearly proves that the Party II had not complied with the mandatory provisions of Section 33(2)(b). Consequently, the order of termination is not operative and a natural corollary would be that the Party I is deemed to be in service during the period of alleged termination and is entitled for continuity in service with full backwages.

19. Under the circumstances and in view of discussion supra, I pass the following order.

ORDER

The action of Mapusa Municipal Council (Party II), in terminating the services of Smt. Krupa Hallikar, Sweeper with effect from 21-8-1997, is in contravention of mandatory provisions of Section 33(2)(b) of Industrial Disputes Act.

The order of termination is illegal, inoperative and non-est.

The Party I is entitled for reinstatement with full backwages and continuity in service.

Inform the Government accordingly.

Sd/-
(A. Prabhudessai),
Presiding Officer,
Industrial Tribunal-
-cum-Labour Court-I.

Notification

No. 28/1/2011-LAB

The following award passed by the Lok Adalat, at Panaji-Goa on 12-03-2011 in reference No. IT/6/99 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Vasanti H. Parvatkar, Under Secretary (Labour).

Porvorim, 19th April, 2011.

LOK ADALAT

COMPROMISE MEMORANDUM IN CASES U/S
10(1)(D) OF INDUSTRIAL DISPUTES ACT, 1947

Case No. IT/6/99

Pending before Industrial Tribunal-cum-Labour Court, Panaji-Goa.

Shri Narayan Tatte ... Workman/Party I

V/s

M/s. K. T. C. Ltd. ... Employer/Party II

MAY IT PLEASE YOUR HONOUR

Dispute in brief is that the Workman Shri Narayan Tatte and the Employer M/s. KTC Ltd., wish to settle the present dispute as per the following terms:

TERMS OF SETTLEMENT

1. It is agreed between the parties that the Workman Shri Narayan Tatte shall resume for his duties with effect from 02-04-2011 with all other consequential benefits and continuity in service for all legal and practical purposes.
2. It is agreed between the parties that the Workman Shri Narayan Tatte will not be entitled for any back wages from the period of his dismissal till the date he is allowed to resume his duties.
3. The Workman Shri Narayan Tatte shall not raise any other claim and this settlement is in full and final settlement of his present dispute.

We have arrived at the compromise terms willingly before the Lok Adalat held on 12-03-2011 at 10.30 a.m. No coercion or force is applied. Today, though it is not working day for the Court we request the panel/bench constituting the Lok Adalat to record the compromise today only and

the aforesaid matter may be marked as settled accordingly.

Dated this 12th day of March, 2011.

Signature of the Workman/Party I	Sd/-
Signature of the Employer/Party II	Sd/-
Signature of the Advocate for the Workman	Sd/-
Signature of the Advocate for the Employer	Sd/-

(Signature of the Authorized officer of the Government).

AWARD

The matter is amicably settled as above before the Lok Adalat held on 12th March, 2011.

- | | |
|--|------|
| 1. Signature of the Presiding Officer of Panel of Lok Adalat | Sd/- |
| 2. Signature of the Member of Lok Adalat | Sd/- |
| 3. Signature of the Panel of Lok Adalat | Sd/- |

Department of Law and Judiciary

Law (Establishment) Division

Order

No. 8/8/2011-LD(Estt.)/780

The Government is pleased to promote on ad hoc basis, Shri Pandharinath S. S. Bodke, District Registrar, South, to the post of State Registrar-cum-Head of Notary Services, (Group 'A' Gazetted) in the Pay Band—3 of ₹ 15,600-39,100+Grade Pay ₹ 6,600/- in the Registration Department, Panaji, with immediate effect.

The above appointment shall be for a period of one year in the first instance, or till the post is filled up on regular basis whichever is earlier.

The above ad hoc appointment will not bestow on the promoted officer any claim for regular appointment and the service rendered on ad hoc basis in the Grade will not count for the purpose of seniority in that grade or for eligibility for promotion to the next higher grade.

The above officer shall exercise option for fixation of his pay within a period of one month

from the date of issue of the order in terms of F. R. 22(I) (a) (1).

The expenditure towards the salary and other allowances shall be debited under the Demand No. 10 Budget Head 2030—Stamps & Registrations; 03—Registration; 001—Direction & Administration; 01—Superintendence, 01—Salaries (N.P).

Shri Pandharinath S. S. Bodke, State Registrar-cum-Head of Notary Services, shall hold the charge to the posts of District Registrar North & South, in addition to his own duties, until further orders.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary, Law (Estt.).
Porvorim, 25th April, 2011.



Department of Personnel

Order

No. 6/9/2009-PER(Part II)

The Governor of Goa is pleased to order transfer and posting of the following Senior Scale Officers of Goa Civil Service, with immediate effect in public interest.

Sr. No.	Name of the Officers	Present posting	Transferred as
1	2	3	4
1.	Shri Meghanath P. Porab	Superintendent of Central Jail, Aguada	Chief Officer, Mormugao Municipal Council.
2.	Shri Gopal A. Parsekar	Chief Officer, Mormugao Municipal Council	Superintendent of Central Jail, Aguada.

The appointment of Shri Porab shall be on deputation and shall be governed by standard terms of deputation as contained in Office Memorandum No. 13/4/74-PER dated 12-02-1999 and as amended.

Shri Meghanath P. Porab shall move first.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).
Porvorim, 12th April, 2011.

Order

No. 7/17/97-PER(PF)(I)

Consequent upon the relieving of Shri C. P. Tripathi, IAS (AGMUT: 96), Secretary (Agriculture) vide Order No. 7/2/99-PER/Part-II(A)/I dated 24-02-2011, Government of Goa is pleased to nominate Shri V. P. Rao, IAS (AGMUT: 99), Secretary (Women and Child Development/Education), as Secretary (Elections) during the leave period of Shri Gonesh Koyu, IAS (AGMU: 91), CEO/Secretary Elections with immediate effect, in addition to the own duties, until further orders.

This issues with the concurrence of the Election Commission of India conveyed vide letter No. 154/GOA/2010 dated 24th March, 2011.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary (Personnel-II).
Porvorim, 18th April, 2011.

Order

No. 15/1/99-PER(Part)C.O.San./Pern.

Shri Tushar Halarnakar, BDO, Pernem shall hold charge of the post of Chief Officer, Pernem Municipal Council in addition to his own duties, with immediate effect, until further orders thereby relieving Shri Shivprasad Naik, BDO, Bardez-I of the additional charge.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel).

Porvorim, 18th April, 2011.



Department of Revenue

Notification

No. 23/35/2009-RD

Whereas by Government Notification No. 23/35/2009-RD dated 06-08-2010 published on Official Gazette, Series II No. 21 dated 19-08-2010 and in two newspapers (1) "Times of India" dated 11-08-2010 and (2) "Gomantak" dated 11-08-2010, it was notified under Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), subsequently Corrigendum was issued vide No. 23/

/35/2009-RD dated 24-11-2010 published on Official Gazette, Series II No. 36 dated 02-12-2010 and in two newspapers (1) "Gomantak" dated 26-11-2010 and (2) "Times of India" 26-11-2010 that the land specified in the Schedule appended to the said Notification (hereinafter referred to as the said land) was needed for the public purpose viz. L. A. for the const. of Calangute distributory from ch. 1285 m. to 3400 m. for L.B.M.C. of T.I.P. in Village Saligao of Bardez Taluka.

And whereas, the Government of Goa (hereinafter referred to as "the Government") after considering the report made under sub-section (2) of Section 5-A the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to as "the said land").

Now, therefore, the Government hereby declares, under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also hereby appoints, under clause (c) of Section 3 of the said Act, the Special Land Acquisition Officer (N), Goa Tillari Irrigation Development Corporation, Karaswada Colvale road, Bardez-Goa to perform the functions of the Collector, for all proceedings hereinafter to be taken in respect of the said land and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Special Land Acquisition Officer (N), Goa Tillari Irrigation Development Corporation, Karaswada Colvale road, Bardez-Goa till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Taluka: Bardez

Village: Saligao

Survey No./ Sub-Div. No.	Names of the persons believed to be interested	True area of land in sq. mts.
1	2	3
258/18 part O:	Comunidade.	572
	T: Eleterio Effifanso	
	Conceicao Remedios.	
258/19 part O:	Comunidade.	584
	T: Berta Coutinho.	
258/25 part O:	Comunidade.	900
	T: Pedro Remedios.	
258/26 part O:	Comunidade.	550
	T: Juli Peter Fernandes.	

1	2	3
260/1 part O:	Comunidade.	580
	T: 1) Sabina D'Silva.	
	2) Pandurang Salgaonkar.	
260/2 part O:	Comunidade.	255
	T: Pandurang Salgaonkar.	
260/3 part O:	Comunidade.	200
	T: Sebestian Fernandes.	
260/4 part O:	Comunidade.	60
	T: Salvacao Bela D'Souza	
	E Fernandes.	
232/1 part O:	Comunidade.	150
	T: Subadri Sancelkar.	
232/2 part O:	1) Anthony D'Souza.	54
	2) Valdamiro D'Souza.	
	3) Robert D'Souza.	
	T: Lubina Fernandes.	
232/3 part O:	1) Anthony D'Souza.	28
	2) Valdamiro D'Souza.	
	3) Robert D'Souza.	
	T: Manuel Pereira.	
232/4 part O:	1) Anthony D'Souza.	90
	2) Valdamiro D'Souza.	
	3) Robert D'Souza.	
	T: Banumati Naik.	
232/5 part O:	1) Anthony D'Souza.	82
	2) Valdamiro D'Souza.	
	3) Robert D'Souza.	
	T: Kanta Dondu Mandrekar.	
232/6 part O:	Pascoal Rodrigues.	250
232/7 part O:	Comunidade.	170
	T: Gravetina Vaz.	
232/8 part O:	Comunidade.	92
	T: Ermelina D'Mello.	
232/9 part O:	Comunidade.	73
	T: Quirima Correia.	
232/10 part O:	Comunidade.	80
	T: 1) Pascoal Rodrigues.	
	2) Catarina Rodrigues.	
232/11 part O:	Comunidade.	74
	T: Chandru Shiva Manjreker.	
232/12 part O:	Comunidade.	68
	T: Brigida Cordeiro.	
232/13 part O:	Comunidade.	64
	T: Mandirem Hanjunker.	
232/14 part O:	Comunidade.	65
	T: Maria Cristalino.	
232/15 part O:	Comunidade.	68
	T: Sagun Narayan Tuenkar.	
232/16 part O:	Comunidade.	60
	T: Bayu Tuenkar.	
232/17 part O:	Comunidade.	50
	T: Lina Remedio.	
232/18 part O:	Comunidade.	65
	T: Thereza Penificaecao	
	Coutinho.	

1	2	3	1	2	3
230/1	part O: Comunidade. T: Rodolfo Luis.	23	230/26	part O: Comunidade. T: Caetano Rodrigues.	50
230/2	part O: Comunidade. T: 1) Nanda Raulu Haldankar. 2) Felinto D'Souza.	27	230/27	part O: Comunidade. T: Romaldina Jeraldina Vaz.	54
230/3	part O: Comunidade. T: Rufina Moniz.	46	230/28	part O: Comunidade. T: Roquela Maria Gama.	57
230/4	part O: Comunidade. T: Rufina Moniz.	59	230/29	part O: Comunidade. T: Julia Azavedo.	87
230/5	part O: Comunidade. T: Caetano Antonio Mascarenhas.	57	230/30	part O: Comunidade. T: 1) Maria Sabastiano D'Souza. 2) Attimicia Fernandes.	96
230/6	part O: Comunidade. T: Maria Ida Clarita D'Cruz.	55	230/31	part O: Comunidade. T: Pandurang Krishna Salgaokar.	43
230/7	part O: Comunidade. T: Punaji Pandurang Achrekar.	58	230/32	part O: Comunidade. T: Gangabai Mahadeo Kinalekar.	40
230/8	part O: Comunidade. T: Sebastiao Joseph Martin.	62	230/33	part O: Comunidade. T: Rosarinha Fernandes E Noronha.	88
230/9	part O: Joao Fernandes.	70	230/34	part O: Comunidade. T: Salvacao Bela D'Souza Fernandes.	21
230/10	part O: Comunidade. T: Quiteria Fernandes.	83	230/35	part O: Luis Mendonca. T: Babal Vasudeo Kudnekar.	158
230/11	part O: Comunidade. T: Pascol Rodrigues.	50	231/8	part O: Comunidade. T: Rodolfo Luis.	273
230/12	part O: Comunidade. T: Babal Bala Korgaokar.	48	231/9	part O: Reira Eco Ventures.	17
230/13	part O: Comunidade. T: Pascol Rodrigues.	57	231/10	part O: Maria Eliza Marques.	3
230/14	part O: Comunidade. T: Prisca D'Souza.	50	231/17	part O: Comunidade. T: Maria Angelica Vaz.	8
230/15	part O: Comunidade. T: Carolina D'Souza.	46	231/18	part O: Comunidade. T: Requel Maria D'Gama.	28
230/16	part O: Comunidade. T: Pascol Rodrigues.	52	231/19	part O: Comunidade. T: Maria D'Cruz.	122
230/17	part O: Comunidade. T: Maria Francisco Fernandes.	53	231/20	part O: Comunidade.	22
230/18	part O: Comunidade. T: Elena Afonco E Pereira.	53	231/6	part O: Luis Mendonca. T: Babal Vasudeo Kudnekar.	386
230/19	part O: Comunidade. T: Jonita D'Souza.	115	294/4	part O: Brazil Lobo. T: Pedro Xavier Fernandes.	454
230/20	part O: Comunidade. T: Domingo Salvador Cosma Gama.	77	294/5	part O: Sertor Frias. T: Carmin Dias.	275
230/21	part O: Comunidade. T: Angelo Lobo.	62	294/6	part O: Brazil Lobo. T: Luis Fernandes.	136
230/22	part O: Comunidade. T: Requela Maria Gama.	60	294/7	part O: Cristalina D'Costa.	136
230/23	part O: Comunidade. T: Ermelina D'Mello.	59	294/11	part O: Shrikant Mukund Sakhalkar	11
230/24	part O: Comunidade. T: Elvina Lobo.	118	294/12	part O: Dilip Gurudas Kudnekar.	130
230/25	part O: Comunidade. T: Narayan Arjun Bali.	53	294/3	part O: Poonam Venktesh Gurav. T: Venktesh K. Gurav.	215
			294/9	part O: 1) Sertorio D'Souza 2) Nina D'Souza. T: Shambu Vassu Palyekar.	359

1	2	3	1	2	3
294/8	part O: Luis Caetano Mendonsa.	41	301/8	part O: Comunidade.	457
	T: Babel Vassudev Kudnekar.			T: Caitan Xavier D'Souza.	
295/9	part O: Comunidade of Saligao.	25	316/1	part O: 1) Jose Feliciano Ageleno	32
295/8	part O: Peter D'Souza Lobo.	253		Elizeu Filomeno da	
295/7	part O: Franklin Piedade	117		Gama e Souza.	
	Fransisco Xavier D'Souza.			2) Maria Flavia Elizabeth da	
	T: Roque Silveira.			Gama e Souza.	
295/4	part O: Martin D'Mello.	210		3) Jose Armando Augusto	
	T: Rama Ladu Haldankar.			Churchill da Gama	
295/13	part O: 1) Anthony Fernandes.	97		e Souza.	
	2) Annie Leberata		316/5	part O: 1) Jose Armando Augusto	210
	Fernandes.			Churchill da Gama	
295/6	part O: 1) Belia Pereira.	230		e Souza.	
	2) Savio Pereira.			2) Maria Falvia Elizabeth da	
295/12	part O: Jose Coutinho.	89		Gama e Souza.	
	T: Especiaso Pinto.			3) Jose Feliciano Agnelo	
295/11	part O: Aires Carvalho.	198		Elizeu Filomeno da	
295/18	part O: 1) Anthony Fernandes.	198		Gama e Souza.	
	2) Annie Leberata			T: Nukul Vassudev Kerkar.	
	Fernandes.		316/7	part O: 1) Maria Falvia Elizabeth	163
	T: Especiaso Pinto.			da Gama e Souza.	
295/16	part O: Kenneth V. Fernandes.	206		2) Jose Feliciano Agnelo	
295/17	part O: Kenneth V. Fernandes.	240		Elizeu Filomeno da	
296/1	part O: Kenneth V. Fernandes.	133		Gama e Souza.	
299/8	part O: Comunidade.	315		3) Jose Armando Augusto	
	T: Leavy Dantas.			Churchill da Gama	
299/7	part O: Comunidade.	259		e Souza.	
	T: Justinho Fernandes.			T: Chandrakant Vassudev	
299/6	part O: Comunidade.	140		Kerkar.	
	T: Carlino D'Souza.		316/8	part O: Jose Francis Costa.	186
299/15	part O: Everest Bosco Fredrick	68		T: Timotin Fernandes.	
	Figueredo.		316/11	part O: Nicholao A. Alwarice.	171
299/14	part O: Carnelin Dantas.	194		T: Francisco Alvares.	
299/13	part O: 1) Violet Sequira.	126	316/14	part O: Milquidas Lourita	480
	2) Rose Freitas.			Noronha.	
	T: Rama Naik.			T: Shantaram Vishnu	
299/12	part O: 1) Cheryl D'Sa alias Cheril	148		Mandrekar.	
	Juliana Dantas.		316/27	part O: Pai Matildes Cocessao	420
	2) Abel D'Sa.			Dias E Sequira.	
299/11	part O: Cirilo Jose Patricio	141	316/31	part O: Jeromino Lopes.	34
	Dantas.		316/32	part O: Jeronino Lopes.	108
	T: Carmelina Dantas.		316/33	part O: Maria Preciosa Cordeiro	157
299/19	part O: Beatriz Moniz.	208		Fernandes.	
299/22	part O: George Francis Almeida	15	316/34	part O: Rui Alvaris.	87
299/21	part O: Vincent C. Fernandes.	107		T: Ancessao Mascarenha.	
	T: Bhaglem Sonu Saligaokar.		316/35	part O: John Felipe Pereira.	119
299/20	part O: 1) Bon Jesus Gregory	177	316/36	part O: John Felipe Pereira.	135
	Fernandes.		316/38	part O: Joaquim Luis Fernandes.	463
	2) Joanita Fernandes.		316/37	part O: Brazil Margarida Lobo.	664
299/9	part O: Comunidade.	385		T: Joaquim Ramos Gomes.	
	T: Achibaldo Antonio		317/8	part O: John Filipe Pereira.	10
	Serrao.		313/21	part O: Anton Doming D'Costa.	75
300/1	part O: Vithu Nausso Mhamal	33	313/22	part O: Comunidade.	105
	Mandrekar.			T: Anant Nagesh Nagvekar.	

1	2	3	1	2	3
313/23	part O: Comunidade. T: Krishna Palyekar.	62	27/1	part O: Alecino Rebeiro.	36
314/1	part O: Comunidade. T: Xavier Rodrigues.	70	27/2	part O: Comunidade. T: Rama Morajkar.	95
314/2	part O: Comunidade. T: Tereza D'Souza E Fernandes.	70	<i>Boundaries :</i>		
314/3	part O: Comunidade. T: Fedrick Menezes.	72	North : S. No. 295/17, 16, 18, 11, 12, 6, 13, 4, 7, 8, 9, S. No. 294/4 to 7, 3, 8, S. No. 231/6, 8 to 20, Nala, S. No. 261/12, Nala, S. No. 259/25, S. No. 258/18, S. No. 299/9, 20, 19, 11, 12, 13, 14, 5, 6, 7, 8.		
314/4	part O: Comunidade. T: Erminia D'Souza.	77	South : S. No. 296/1, 2, S. No. 295/16, 18, 11, 12, 6, 1, 3, 4, 7, 8, 9, S. No. 294/4, 11, 12, 5, 6, 7, 9, 8, S. No. 230/35, 1 to 34, S. No. 232/2 to 19, Nala, S. No. 260/1 to 4, S. No. 259/26, S. No. 258/19, S. No. 299/9, 20, 21, 22, 19, 11 to 16, 7, 8.		
314/5	part O: Comunidade. T: Gaspar D'Costa.	80	East : S. No. 258/18, 19.		
314/6	part O: Comunidade. T: Antonio Sebastiano Remedus.	80	West : Road.		
314/7	part O: Comunidade. T: Virgina Fernandes.	133	Total: 21605		
314/8	part O: Comunidade. T: 1) Erminia D'Souza. 2) Francisco Gragoria Eustakinho Souza.	89	By order and in the name of the Governor of Goa.		
314/9	part O: Comunidade. T: Virgina Fernandes.	78	<i>Pandharinath N. Naik</i> , Under Secretary (Rev-I). Porvorim, 20th April, 2011.		
314/10	part O: Comunidade. T: Shamba Sagun Sawant.	78	Notification No. 23/10/2011-RD		
314/11	part O: Comunidade. T: Regaladas Saldanha.	69	Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. Land Acquisition for widening of the road at Handem Batora at Village Curtorim of Salcete Taluka.		
314/12	part O: Comunidade. T: Tukaram Yashwant Mandrekar.	86	Now, therefore, the Government hereby notifies under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that said land is likely to be needed for the purpose specified above.		
314/13	part O: Comunidade. T: Gaspar D'Costa.	79	2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or		
314/14	part O: Comunidade. T: Maria Magdalena D'Costa.	194			
314/15	part O: Comunidade. T: Maria Carmelina Vaz.	95			
314/16	part O: Comunidade. T: Mariquina Vaz.	98			
314/17	part O: Comunidade. T: Krishna Sagun Parab Palyekar.	233			
314/18	part O: Comunidade. T: Shivram Sagun Parab Palyekar.	118			
314/19	part O: Comunidade. T: Gaspar D'Costa.	118			
314/20	part O: Comunidade. T: Madhu Pundalik Asvekar.	339			
314/21	part O: Comunidade.	35			
314/22	part O: Alexino Rebeiro.	27			
11/3	part O: Comunidade of Saligao. T: Maria Magdalena D'Costa.	592			
11/2	part O: 1) Ravi Pandapa Lamani alias Ravi Pandapa Banjar. 2) Paru Shankar Rathod.	27			

otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of Section 3 of the said Act, the Dy. Collector (Rev.) South Goa, Margao-Goa to perform the functions of a Collector, under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao-Goa.
2. The Dy. Collector (Rev.) South Goa, Margao-Goa.
3. The Executive Engineer, W.D. VI (R-S) PWD, Fatorda, Margao-Goa.
4. The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Dy. Collector (Rev.) South Goa, Margao-Goa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Salcete		Village: Curtorim
Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
237/9	O: 1. Manuel Salvador Menezes. 2. Maria Menezes.	65
237/10	O: Caetano Barreto.	90
237/11	O: Ermelinda Almeida e Goes.	45
237/12	O: Fidelina Ancesacao Dias Gonsalves.	45

1	2	3
236/2	O: 1. Emiliano Antonio do Sagrado Coracao de Jesus D'Cruz. 2. Antonio Augusto do Jesus Faustino D'Cruz. 3. Agostino Francisco Xavier Joao D'Cruz.	70
238/2	O: 1. Manuel Salvador Menezes. 2. Maria Menezes.	65
238/3	O: Caetano Barreto.	100
238/7	O: Filip Rodrigues.	65
238/12	O: Maria Esperanca Fernandes.	35
238/13	O: Ancesao Fernandes.	70
238/4	O: Jose Fernandes.	30
238/5	O: Avelina Fernandes.	20
238/6	O: Clemente Goes.	35

Boundaries :

North : S. No. 237/9, 10, 11, 12,
S. No. 236/2, 238/4, 9.

South : S. No. 238/1, 236/2, 238/2,
3, 7, 12, 13.

East : S. No. 236/2, 238/1, 13.

West : Road, S. No. 238/1, 237/12,
238/6, 7.

Total: 735

By order and in the name of the Governor
of Goa.

Pandharinath N. Naik, Under Secretary (Rev-I).
Porvorim, 26th April, 2011.

Notification

No. 23/11/2011-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. L. A. for the construction of Community Hall for Village Panchayat at Carmona in Navelim Constituency.

Now, therefore, the Government hereby notifies under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the

said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of Section 3 of the said Act, the Dy. Collector & S.D.O., Salcete, Margao-Goa to perform the functions of a Collector, under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao-Goa.
2. The Dy. Collector & S.D.O., Salcete, Margao-Goa.
3. The Executive Engineer, Div. VIII (Bldgs-South), P.W.D., Fatorda, Margao-Goa.
4. The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Dy. Collector & S.D.O., Salcete, Margao-Goa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Salcete

Village: Carmona

Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
180/3 part	O: Comunidade Carmona. T: Trindade Dias.	118

1	2	3
180/4 part	O: Comunidade Carmona. T: Marcelina Vaz. Details of cropped area Marcelina Vaz.	6
180/16 part	O: Comunidade Carmona. T: Jose Sergio De Ramalho Almeida.	97
180/17 part	O: Comunidade Carmona. T: Marta Rebello. Details of cropped area Marta Rebello.	6
180/27 part	O: Milagrina George. T: Ilda Leita.	120
180/28 part	O: Milagrina George. T: Esmerelda Fernandes.	6
180/40 part	O: Maritio Dias. T: Tibureia Fernandes.	66
180/48 part	O: Lizarda Vaz.	74
180/52 part	O: Maritio Dias.	140
180/65 part	O: Milagrina George. T: Esmerelda Fernandes. Details of cropped area Esmerelda Fernandes.	125
180/76 part	O: Comunidade Carmona. T: Filomena Dias.	90
180/82 part	O: Comunidade Carmona. T: Leandrina Santos.	123
180/83 part	O: Comunidade Carmona. T: Filomena Dias.	119
180/88 part	O: Comunidade Carmona. T: Leandrina Santos.	118
182/8 part	O: Caetano Silva. T: Monica Pereira.	200
182/22 part	O: Acacio Rodrigues. T: Nil.	175
182/37 part	O: Ofelia Antao. O: Joaoquizino Jose Elvino Constacio Antao. T: Nil.	100
182/43 part	O: Antonio Almeida. T: Nil.	100
182/54 part	O: Agnelo Cyrilo Gracias. T: Nil.	90
182/55 part	O: Vincent Paulo Gracias. T: Nil.	130
182/68 part	O: Comunidade Carmona. T: Filomena Verdes.	200
182/78 part	O: Comunidade Carmona. T: Martha Colaco.	195
182/85 part	O: Minguel Antao. T: Nil.	90
182/92 part	O: Rosalina Vaz. T: Nil.	85
182/93 part	O: Pedro Dias. T: Nil.	12

1	2	3
182/103 part	O: Roque Dias. T: Nil.	50
182/104 part	O: Alexio Dias. T: Nil.	100
173/1 part	Bosto Gomes.	5990
<i>Boundaries :</i>		
North: Road, S. No. 182/97, 99, 98, 100 to 106.		
South: S. No. 173.		
East : S. No. 180/4, 17, 28, 27, 40, 48, 52, 65, 76, 82, 83, 88, S. No. 182/8, 22, 37, 43, 55, 68, 78, 86, 93, 105, 104, S. No. 173/-.		
West : S. No. 180/3, 16, 27, 40, 48, 52, 65, 76, 82, 83, 88, S. No. 182/8, 22, 37, 43, 54, 68, 78, 85, 93, 92, 103, S. No. 183/87, 94, S. No. 184/7, 8, 14, 15.		
		Total: 8725

By order and in the name of the Governor
of Goa.

Pandharinath N. Naik, Under Secretary (Rev-I).

Porvorim, 26th April, 2011.

Notification

No. 22/28/2010-RD

Whereas by Government Notification No. 22/28/2010-RD dated 04-01-2011 published on pages 1041 to 1042 of Series II No. 42 of the Official Gazette dated 13-01-2011 and in two newspapers (1) "Gomantak Times" dated 06-01-2011 and (2) "Goa Doot" dated 06-01-2011, it was notified under Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), that the land, specified in the Schedule appended to the said Notification was likely to be needed for the public purpose viz. Land Acquisition for Garbage Treatment Plant at Sonsodo in Margao City of Salcete Taluka.

And whereas, the Government of Goa (hereinafter referred to as "the Government") after

considering the report made under sub-section (2) of Section 5-A of the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to as "the said land").

Now, therefore, the Government hereby declares, under Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also appoints, under clause (c) of Section 3 of the said Act, the Deputy Collector/SDO, Salcete, Margao, Goa, to perform the functions of a Collector, South Goa District, Margao-Goa for all proceedings hereinafter to be taken in respect of the said land, and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the said Deputy Collector/SDO, Salcete, Margao, Goa, till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Taluka: Salcete *City:* Margao

PT. Sheet No./ Chalta No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3

1 (part) 84	Comunidade of Margao. Government of Goa (PWD).	53100
-------------	---	-------

Boundaries :

North: Village Raia.

South: Chalta No. 1/P.T.S, No. 84.

East : Village Raia.

West : Chalta No. 1 of P.T.S. No. 84,
Chalta No. 6 of P.T. Sheet No. 54.

Total: 53100

By order and in the name of the Governor
of Goa.

Pandharinath N. Naik, Under Secretary (Rev-I).

Porvorim, 27th April, 2011.

www.goaprintingpress.gov.in

Published and Printed by the Director, Printing & Stationery,
Government Printing Press,
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE—Rs. 20.00